

02-14-03

FEB 12 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bell et al.

: Group Art Unit: 1653

Serial No.: 09/677,375

: Examiner: Lukton, David

Filed: September 15, 2000

: Confirmation No.: 2748

For: EXTRACORPOREAL ENDOTOXIN REMOVAL METHOD

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RESPONSE TO OFFICE ACTION

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed December 19, 2002, Applicants respectfully request reconsideration of the revised requirement and provide the following response:

Applicants elected Group I claims (claims 1-19) with traverse in response to the previous Office Action. The Patent Office has further requested restriction under 35 U.S.C. 121 between six allegedly distinct groups:

Group 4: drawn to a mixture of peptides in which branched peptides are excluded.  
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Group 5: drawn to a mixture of peptides in which at least one branched peptide must be present.

Group 6: drawn to an adsorbent in which the ligand excludes branched peptide.

Group 7: drawn to an adsorbent in which the ligand must include at least one branched peptide.

Group 8: drawn to a device which contains the adsorbent of Group 6.

Group 9: drawn to a device which contains the adsorbent of Group 7.

Applicants provisionally elect with traverse the claims of Group 9 for examination; the claims of Group 9 are drawn to a device which contains the adsorbent of Group 7, i.e., an adsorbent in which the ligand must include at least one branched peptide. Applicants reserve the right to file one or more divisional applications for the non-elected claims.

However, Applicants submit that the claims in Groups 5, 7, and 9 are technically linked and thus should be examined together. The claims of Group 9 are directed to a device containing the adsorbent which is defined in the Group 7 claims. Further, the claims of Group 5 define the properties of the ligand, which is part of the claims of Groups 7 and 9. Accordingly, it is requested that all the claims of Groups 5, 7, and 9 be examined simultaneously. Because of this relatedness, examination of all the claims in Groups 5, 7, and 9 would not cause extra burden to the Patent Office.

With respect to the requirement of a species election, Applicants elect arginine as an amino acid and Toya Pearl HW70EC beads as a solid phase support medium. Accordingly, claims 14-19 are directed to the elected species.

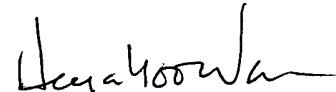
## REMARKS

Based on the foregoing, Applicants respectfully request reconsideration of the Restriction Requirement and simultaneous examination of the Groups 5, 7, and 9 claims.

## CONCLUSION

It is believed that no fee is due with this submission. If this is incorrect, however, please charge any deficiency to Deposit Account No. 07-1969.

Respectfully submitted,



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